

RESPONSE TO CENTRAL MAINE MEDICAL CENTERS WRITTEN COMMENTS
IN OPPOSITION TO MAINE MEDICAL CENTERS CERTIFICATE OF NEED
APPLICATION TO BUILD AN AMBULATORY SURGICAL FACILITY

According to the preliminary staff assessment, Maine Medical Center's "primary service area" includes Androscoggin County. We challenge this conclusion, and all of the analysis which flow from the assumptions about Maine Medical Center's primary service area.

CONU Response:

The definition of service areas in today's health care industry will vary according to a number of factors, i.e. inpatient vs. outpatient or specialty services. Many of these factors are not included in existing definitions of service areas. CMMC did not provide information to refute MMC's definition of its own service area. In the absence of other information to measure MMC's service area, CONU does not refute MMC's assertions regarding its primary and secondary service area. CMMC did not indicate what conclusions were impacted by their comments.

The staff analysis refers (at least three times) to the Department's "Health Care Facility/Agency Space and Needs Guidelines" relating to ambulatory surgery services. However, except for conclusory statements that the MMC application "generally" meets the criteria in these guidelines, there is not evidence or analysis that demonstrates that this is true.

CONU Response:

The Health Care Facility/Agency Space and Needs Guidelines have not been updated in years. Since the publication of these guidelines there has been a massive shift toward outpatient surgery. New technologies and specialized machinery have emerged since these guidelines were updated. They utilize substantially more space. As the authors of these guidelines state "These are guidelines, not hard and fast standards. The guidelines will be published to obtain comments from providers, consultants and the general public to assist the Department in the development of a comprehensive guidebook that will be a valued reference for all proposing to develop new health services, technology or facilities". While we referred to these guidelines they were not a deciding factor. Holding an applicant to standard developed over a decade ago would not be practical or reasonable. CONU concludes that the ambulatory surgery center project generally meets the criteria in these guidelines because this project will relieve overcrowding by moving outpatients away from the Bramhall campus. This will avoid delays and cancellations in surgery, avoid disruptions to surgeons and staff, remove threats to patient safety, increase OR ability to address emergent and urgent demand and lower costs to the health system.